

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS.

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris
Magistrate Judge Marianne B. Bowler

PLAINTIFFS' OMNIBUS MOTION *IN LIMINE*

Plaintiffs respectfully move this Court for an order *in limine*:

- (1) precluding introduction of evidence regarding the government's purported "knowledge";
- (2) precluding introduction of evidence regarding purported "knowledge" of third party payors;
- (3) precluding AstraZeneca from calling Stanley Weintraub at trial;
- (4) excluding evidence regarding AstraZeneca's "meeting competition" defense;
- (5) precluding evidence regarding the efficacy of Zoladex;
- (6) precluding introduction of evidence regarding AMP and IMS data;
- (7) precluding introduction of evidence regarding AstraZeneca's Managed Acquisition Program; and
- (8) precluding introduction of evidence regarding AstraZeneca's Patient Assistance Program.

Each of the foregoing is supported by a separate memorandum of law.

DATED: March 23, 2007

By /s/ Steve W. Berman
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CERTIFICATE OF SERVICE BY LEXIS-NEXIS FILE & SERVE

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on March 23, 2007, I caused copies of **PLAINTIFFS' OMNIBUS MOTION *IN LIMINE*** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Steve W. Berman
Steve W. Berman